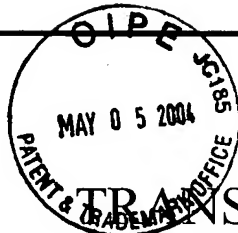


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# TRANSMITTAL FORM

Application Serial Number	10/712,790
Filing Date	November 13, 2003
First Named Inventor	Van Noy
Group Art Unit	3728
Examiner Name	Not Yet Assigned
Attorney Docket No.	ADI-098
Patent No.	Not applicable
Issue Date	Not applicable

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]  <input type="checkbox"/> Petition for Extension of Time  <input checked="" type="checkbox"/> Second Supplemental Information Disclosure Statement <input checked="" type="checkbox"/> Second Supplemental Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application  <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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## CORRESPONDENCE ADDRESS      SIGNATURE BLOCK

Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Date: May 3, 2004 Reg. No. 51,842 Tel. No.: (617) 310-8671 Fax No.: (617) 248-7100  <div style="text-align: right;">           Respectfully submitted,              Andrew L. Jagenow            Attorney for the Applicants            Testa, Hurwitz &amp; Thibault, LLP            125 High Street            Boston, MA 02110         </div>
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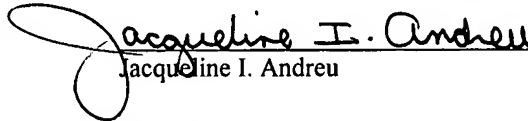
PATENT  
Attorney Docket No. ADI-098  
(257/64)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Van Noy et al.  
SERIAL NO.: 10/712,790 GROUP NO.: 3728  
FILING DATE: November 13, 2003 EXAMINER: Not yet assigned  
TITLE: SHOE VENTILATION SYSTEM

**CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 3rd day of May, 2004.

  
Jacqueline I. Andreu

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith are:

Transmittal Form (1 page);  
Second Supplemental Information Disclosure Statement (3 pages);  
Second Supplemental PTO Form 1449 (1 page); and  
a return-receipt postcard.



PATENT  
Attorney Docket No. ADI-098

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Van Noy et al. CONFIRMATION NO.: 7808  
SERIAL NO.: 10/712,790 GROUP NO.: 3728  
FILING DATE: 11/13/03 EXAMINER: Not yet assigned  
TITLE: SHOE VENTILATION SYSTEM

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with the provisions of 37 C.F.R. 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

In addition, Applicants wish to inform the Examiner about the following commonly-owned, co-pending patent applications, including all cited references and Office actions issued therein:

U.S. Serial Number	Filing Date	Inventor Name
09/915,216	June 25, 2001	Berger et al.

**REMARKS**

In accordance with the provisions of 37 C.F.R. 1.97, this statement is being filed (CHECK ONE):

- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. 1.114; or

- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. 1.17(p), namely **\$180.00**, is included herein, or
- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application.

#### STATEMENT

As required under 37 C.F.R. 1.97(e), Applicant(s), through the undersigned, hereby state either that [check the appropriate space only if either (2) or (3) is checked on the previous page and the Statement is required]:

- ☐ 1. Each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application **not more than three months** prior to the filing of the Information Disclosure Statement; or
- ☐ 2. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to **any individual** designated in 37 C.F.R. 1.56(c) **more than three months** prior to the filing of the Information Disclosure Statement.

Respectfully submitted,



Andrew L. Jagenow  
Attorney for the Applicants  
Testa, Hurwitz, & Thibault, LLP  
125 High Street  
Boston, Massachusetts 02110

Date: May 3, 2004  
Reg. No. 51,842

Tel. No.: (617) 310-8671  
Fax No.: (617) 248-7100

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SHEET 1 OF 1

<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO.: ADI-098</b>					
<b>SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Van Noy et al.</b>					
				<b>SERIAL NO.: 10/712,790</b>					
				<b>FILING DATE: November 13, 2003 GROUP: 3728</b>					
<b>U.S. PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>		
		2002/0017036	2/14/02	Berger et al.					
		4,640,027	2/3/87	Berlese					
<b>FOREIGN PATENT DOCUMENTS</b>									
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>COUNTRY CODE</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE</b>	<b>ABSTRACT ONLY</b>	<b>ENGLISH LANG (Y/N)</b>
<b>OTHER ART, JOURNAL ARTICLES, ETC.</b>									
<b>EXAM. INIT.</b>	<b>OTHER DOCUMENTS: (Including Author, Title, Date, Relevant Pages, Place of Publication)</b>								
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				

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